

Application No.: 10/674,653

Response Dated: September 6, 2011

Response to Office Action dated: November 9, 2009

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1-2 (Cancelled).

Claim 3 (Previously Presented/Withdrawn): The tissue approximation device of claim 8, where the elongate arms form parallel forceps, the attachment means is a pair of slideable bosses, and the locking means is a ratchet mechanism on the forceps.

Claim 4 (Withdrawn): The tissue approximation device of claim 3, where the distance between the elongate arms is adjustable by means of a ratchet mechanism.

Claim 5 (Previously Presented): The tissue approximation device of claim 8, where the elongate arms form a pair of forceps, the attachment means is a yoke on the forceps, and the locking means is a ratchet mechanism on the forceps.

Claim 6 (Original): The tissue approximation device of claim 5, where the distance between the elongate arms is adjustable by means of a ratchet mechanism.

Claim 7 (Cancelled).

Claim 8 (Previously Presented): A tissue approximation device comprising two elongate arms having proximal and distal ends, an attachment means to secure the elongate arms to each other at one or more locations, adhesive pads movably connected on the ends of the elongate arms to anchor the tissue approximation device to the skin, and a locking means to lock the elongate arms

in place relative to each other, wherein (i) the adhesive pads are spaced apart from the one or more locations of the attachment means in the direction of the elongate arms, and (ii) the tissue approximation device has an open and a closed position, and when in the closed position, the adhesive pads are parallel and non-contiguous to each other, where the adhesive pad has a first adhering surface and a second surface rotatably coupled to the distal end of each of the elongate arms by a ball and socket connector, wherein the second surface has one of a socket and a ball that communicates with the other one of a ball and a socket on the distal end of each of the elongate arms, and the adhesive pad is rotatable around the ball and socket connector about at least two axes.

Claims 9 - 13 (Cancelled).

**Claim 14 (Previously Presented and Withdrawn):** A tissue approximation device comprising two elongate arms, an attachment means to secure the elongate arms to each other at one or more locations, adhesive pads movably connected on the ends of the elongate arms to anchor the tissue approximation device to the skin, and a locking means to lock the elongate arms in place relative to each other, wherein (i) the adhesive pads are spaced apart from the one or more locations of the attachment means in the direction of the elongate arms, and (ii) the tissue approximation device has an open and a closed position, and when in the closed position, the adhesive pads are parallel and non-contiguous to each other, where the adhesive pad has a first adhering surface having a center line and a connector formed of one of a male protruding mechanism and a female receiving mechanism, wherein the connector is formed on an edge of the adhesive pad offset from the center line and slidingly engages the other of a male protruding mechanism and a female receiving mechanism disposed on the distal end of each of the elongate arms, wherein each adhesive pad is rotatable about the distal end of the elongate arm to which it is connected.

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Claims 15 - 20 (Cancelled).

Claim 21 (Withdrawn): A method for closing a wound in the surface of a patient's skin, comprising the steps of

- (1) providing a tissue approximation device comprising two elongate arms, an attachment means to secure the elongate arms to each other at one or more locations, and a locking means to lock the elongate arms in place relative to each other, wherein providing the tissue approximation device includes connecting an adhesive pad to an end of each elongate arm and adjusting a position of each pad relative to the skin surface, wherein (i) the adhesive pads are spaced apart from the one or more locations of the attachment means in the direction of the elongate arms, and (ii) the tissue approximation device has an open and a closed position, and when in the closed position, the adhesive pads are parallel and non-contiguous to each other;
- (2) positioning the adhesive pads to skin on opposed sides of a wound;
- (3) approximating the wound by actuating the tissue approximation device in a direction to move the adhesive pads towards each other in a common plane that is generally parallel to the skin tissue;
- (4) engaging the locking means to assure that the edges of the wound do not move;
- (5) applying a topical skin closure adhesive to the wound; and
- (6) removing the adhesive pads from the skin surface.

Claim 22 (Withdrawn and Previously Presented): A tissue approximation device for application to a skin surface adjacent to a wound, comprising:

a pair of arms, each arm having a longitudinal axis and opposed ends, wherein one end includes a handle and the other end includes a tong with a connector;

an attachment mechanism coupled to each arm that movably couples the arms to each other so that a distance between each tong is selectively variable;

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an adhesive pad removably coupled to the connector of each tong, wherein each adhesive pad has an adhesive surface that extends in a plane generally parallel to the longitudinal axis of the respective tong, the adhesive surface having a high shear resistance for holding the skin surface and a low peel resistance for removal from the skin surface, and wherein the connectors support the adhesive pads to be positionable in a common plane on opposed sides of the wound and conform to the skin surface adjacent to the wound; and

a locking mechanism coupled to each arm to selectively lock the pair of arms in a fixed position relative to each other,

wherein the connector is a pivotal connector that connects one edge of the adhesive pad to the tong to pivot about the longitudinal axis of the respective arm wherein the pivotal connector is one of a rod and a sleeve and the adhesive pad includes the other of the rod and the sleeve, wherein the rod and the sleeve are slidably coupled together in a press fit manner.

Claims 23 - 26 (Cancelled).

Claim 27 (Withdrawn and Previously Presented): The device of claim 22, wherein the arms are connected in a scissors configuration.

Claim 28 (Withdrawn and Previously Presented): The device of claim 22, wherein the adhesive pad includes serrations that provide flexibility to the adhesive surface.

Claim 29 (Withdrawn and Previously Presented): The device of claim 22, wherein the locking mechanism includes a ratchet.

Claim 30 (Withdrawn and Previously Presented): The device of claim 22, wherein the arms are made of a resilient material.

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Claim 31 (Withdrawn): The device of claim 22, wherein the arms are connected in a parallel configuration.

Claim 32 (Withdrawn): The device of claim 31, wherein the attachment mechanism includes at least one pair of slidable bosses coupled between the arms.

Claim 33 (Withdrawn): The device of claim 32, further comprising a spring disposed between the arms to bias the arms with respect to each other.

Claim 34 (Withdrawn and Previously Presented): The tissue approximation device of claim 14, where the elongate arms form parallel forceps, the attachment means is a pair of slidable bosses, and the locking means is a ratchet mechanism on the forceps.

Claim 35 (Withdrawn and Previously Presented): The tissue approximation device of claim 34, where the distance between the elongate arms is adjustable by means of the ratchet mechanism.

Claim 36 (Withdrawn and Previously Presented): The tissue approximation device of claim 14, where the elongate arms form a pair of forceps, the attachment means is a yoke on the forceps, and the locking means is a ratchet mechanism on the forceps.

Claim 37 (Withdrawn and Previously Presented): The tissue approximation device of claim 36, where the distance between the elongate arms is adjustable by means of the ratchet mechanism.

Claim 38 (Currently Amended): A tissue approximation device for application to a skin surface adjacent to a wound, comprising:

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a pair of arms, each arm having a longitudinal axis and opposed ends, wherein one end includes a handle and the other end includes a tong with a connector;

an attachment mechanism coupled to each arm that movably couples the arms to each other so that a distance between each tong is selectively variable;

an adhesive pad removably coupled to the connector of each tong, wherein each adhesive pad has an adhesive surface that extends in a plane generally parallel to the longitudinal axis of the respective tong, the adhesive surface having a high shear resistance for holding the skin surface and a low peel resistance for removal from the skin surface, and wherein the connectors support the adhesive pads to be positionable in a common plane on opposed sides of the wound and conform to the skin surface adjacent to the wound; and

a locking mechanism coupled to each arm to selectively lock the pair of arms in a fixed position relative to each other,

wherein the connector coupling is [[a]] rotatable connector—that and connects the adhesive pad to the tong so as to pivot at least about the longitudinal axis and an axis substantially perpendicular to the longitudinal axis and the rotatable connector is one of a ball and a socket and the adhesive pad includes the other of the ball and the socket, wherein the ball and socket are snap fit together in an interference fit.

Claim 39 (Previously Presented): The device of claim 38, wherein the arms are connected in a scissors configuration.

Claim 40 (Previously Presented): The device of claim 38, wherein the adhesive pad includes serrations that provide flexibility to the adhesive surface.

Claim 41 (Previously Presented): The device of claim 38, wherein the locking mechanism includes a ratchet.

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Claim 42 (Previously Presented): The device of claim 38, wherein the arms are made of a resilient material.

Claim 43 (Previously Presented and Withdrawn): The device of claim 38, wherein the arms are connected in a parallel configuration.

Claim 44 (Previously Presented and Withdrawn): The device of claim 38, wherein the attachment mechanism includes at least one pair of slidable bosses coupled between the arms.

Claim 45 (Previously Presented and Withdrawn): The device of claim 38, further comprising a spring disposed between the arms to bias the arms with respect to each other.

Claim 46 (Previously Presented): The device of claim 8, wherein the second surface has the socket and the distal end has the ball.

Claim 47 (Previously Presented): The device of claim 8, wherein the second surface has the ball and the distal end has the socket.

Claim 48 (Previously Presented): The device of claim 8, wherein the second surface and the distal end of the elongate arm connect in a snap fit manner.

Claim 49 (Previously Presented and Withdrawn): The device of claim 14, wherein the connector of the adhesive pad is a male protruding mechanism formed as a rod and the distal end of the elongate arm is a female receiving mechanism formed as a sleeve.

Claim 50 (Previously Presented and Withdrawn): The device of claim 14, wherein the connector of the adhesive pad is a female receiving mechanism

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formed as a sleeve and the distal end of the elongate arm is a male protruding mechanism formed as a rod.